

**REGULAR MEETING  
of the  
CITY OF RIALTO  
CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES  
March 18, 2008**

A regular meeting of the City Council/Redevelopment Agency of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, March 18, 2008.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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**CALL TO ORDER**

Mayor Vargas called the meeting to order at 4:05 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson and Council Members Robertson and Baca Jr. Also present were City Administrator Garcia, Interim City Attorney Tilford and City Clerk McGee. Council Member Ed Scott was absent.

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**CLOSED SESSION**

1. Conference with Legal Counsel - existing litigation. The City Council will discuss the following pending litigation pursuant to Government Code Section 54956.9(a):

(a) City of Rialto v. United States Department of Defense, et. al.

2. Conference with labor negotiator regarding the following recognized employee organizations pursuant to Government Code Section 54957.6:

Agency negotiators: Bradley Neufeld  
Employee organization: Rialto Police Benefit

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## **CLOSED SESSION**

3. Conference with Real Property Negotiator concerning the following properties pursuant to Government Code Section 54956.8:

- A. Subject: Price and Terms  
Location APN: 130-251-33  
Owners: Gordon Wall  
Negotiators: John Dutrey and Robb R. Steel,  
Redevelopment Agency
- B. Subject: Price and Terms  
Location: Rialto Municipal Airport Property –  
approximately 41 acres  
Owners: Federal Aviation Administration  
Negotiators: Robb R. Steel, Redevelopment Agency

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Motion by Mayor Pro Tem Hanson, second by Council Member Robertson and carried by 3-0 vote to go into Closed Session. Council Members Baca Jr. and Scott were absent.

City Council went into Closed Session at 4:05 p.m. and returned at 5:35 p.m.

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## **CALL TO ORDER**

Mayor Vargas called the meeting to order at 6:05 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson, and Council Members Baca Jr. and Robertson. Also present were City Administrator Garcia, Interim City Attorney Tilford and City Clerk McGee. Council Member Ed Scott was absent.

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## **Pledge of Allegiance and Invocation**

Council Member Baca Jr. led the pledge of allegiance and Mayor Pro Tem Hanson gave the invocation.

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## **CITY ATTORNEY'S REPORT ON CLOSED SESSION**

Interim City Attorney Tilford stated that with respect to Item 1 (a) there was no action taken. The City Council also conferred with its attorney regarding second Item 2, no action was taken. With respect to Item 3 (a), the City Council approved an offer of \$450,000 and Item 3 (b), City Council approved an offer of \$77,408,811.00.

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## **PRESENTATIONS**

Beth George, Chairperson of the Planning Commission gave the Commission's Annual Report for 2007.

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## **PRESENTATIONS**

Police Chief Mark Kling gave a presentation regarding Spay/Neuter programs. He states the proposed Bill 1634 makes it mandatory to spay/neuter all dogs and cats over 6 months.

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Council Member Robertson stated that she is the one who asked for the update in regards to this matter. She indicated citizens have mentioned their concern about this subject at Healthy Rialto meetings.

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Council Member Baca, Jr. gave the recommendation that the City not get ahead of the state and introduce new policies. He would like to educate the residents.

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## **CONSENT CALENDAR**

### **A. WAIVE FULL READING OF ORDINANCES**

1. Waive reading in full, all ordinances considered at this meeting.

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### **B. APPROVAL OF WARRANT RESOLUTIONS**

1. Resolution No. 33 (2/29/08)
2. Resolution No. 34 (3/07/08)

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### **C. APPROVAL OF MINUTES**

1. Regular RDA/City Council Meeting – June 19, 2007

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### **D. SETTING OF PUBLIC HEARINGS**

Request City Council to set a public hearing for the **April 1, 2008** City Council Meeting to consider General Plan Amendment No. 28 & Zone Change No. 324 – Request to change the General Plan land use designation from Medium High Density Residential (6-12 du/acre) to High Density residential (13-21 du/acre) and the zoning designation from Planned Residential Development Attached (PRD-A) to High Density residential (R-3) for a 4.78 acre property located on the west side of Riverside Avenue approximately 400 feet south of Bloomington Avenue (APN 0131-161-27).

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## **CONSENT CALENDAR**

### **E. MISCELLANEOUS**

1. Request City Council to approve agreement with Royal Street Communications California to lease space at Jerry Eaves Park to locate a wireless telecommunication facility by utilizing space on an existing light standard.
2. Request City Council to approve an agreement with Royal Street Communications California to lease space at the Easton Reservoir to locate a wireless telecommunication facility.
3. Request City Council to approve an increase of Purchase Order for Doug Martin Contracting for \$49,549 for the Slurry Seal 2007, Project No. 070800.
4. Request City Council to approve a Purchase Order for acquisition of Safety Wood Chip Fill Material for Park Playgrounds from recycled wood products in the amount of \$24,321.33.
5. Request City Council to approve the Jerry Eaves Parking Lot Expansion Project Design Concept and the Park Monument Sign Concept.
6. Request City Council to adopt **Resolution No. 5565** to approve Summary Vacation request of Galway Street Precise Plan of Design (PPD) 2059R.
7. Request City Council to authorize the purchase of a Police Department Prisoner Transport Van from Fritts Ford in the amount of \$23,272.35 and approve modifications in the amount of \$6,000.00.

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Motion by Council Member Robertson, second by Council Member Baca Jr. and carried by 4-0 vote to approve the Consent Calendar. Council Member Ed Scott was absent.

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## **PUBLIC HEARING**

**TAB 1 – Resolution No. 5566  
reconfirming the Zero Tolerance  
perchlorate policy**

Cris Carrigan, Morgan Miller Blair gave a report on proposed resolution to reaffirm the Council's Zero Tolerance Policy on Perchlorate Contamination. The California Department of Health Services adopted a maximum contaminant level for perchlorate in drinking water of 6 parts per billion.

The staff strongly recommended that the Council readopt the Zero Tolerance Policy.

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Council Member Baca Jr. asked Attorney Cris Carrigan to define what non-detect means.

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## **PUBLIC HEARING**

**TAB 1 – Resolution No. 5566  
reconfirming the Zero Tolerance  
perchlorate policy**

Cris Carrigan explained the technology for detecting perchlorate can only detect at 4 parts per billion and above and anything below that, registers non-detect.

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Council Member Robertson concurred with the City of Rialto for continuing the Zero Tolerance Policy.

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Mayor Pro Tem Hanson stated she is proud of the City of Rialto's stand for the Zero Tolerance Policy and for the continuance of that policy.

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Mayor Vargas declared the public hearing open.

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Marion Dasher, resident of Rialto for 30 years, stated that she is happy that the City is going to continue with Zero Tolerance level. She explains that doctor's have definitely diagnosed that her son has had medical issues related to perchlorate.

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Motion by Council Member Robertson, second by Council Member Baca Jr. and carried by 4-0 vote to close the public hearing. Council Member Ed Scott is absent.

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Motion by Mayor Pro Tem Hanson, second by Council Member Baca Jr. and carried by 4-0 vote to request the City Council adopt **Resolution No. 5566** reconfirming the zero tolerance perchlorate policy. Council Member Ed Scott is absent.

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## **NEW BUSINESS**

**TAB 2 – Fiscal Year 2006/07 Annual  
Financial Statement**

June Overholt, Chief Financial Officer, indicated that she will be presenting the audit for the fiscal year ending June 30, 2007. The purpose of the agenda is to discuss, receive and file the audited Financial Statements. She describes the positive fiscal progress that the city has made.

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Rod LeMond from McGladrey & Pullen, LLP gave a presentation regarding the audited financial statements. He explained the responsibility of the independent audit firm.

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Council Member Baca, Jr. indicated the city had \$1.7 million dollar increase in legal fees and asks what is it attributed to?

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## **NEW BUSINESS**

### **TAB 2 – Fiscal Year 2006/07 Annual Financial Statement**

June Overholt, Chief Financial Officer explained that it was a settlement that occurred in the general liability fund and increases in perchlorate costs.

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Motion by Council Member Joe Baca Jr., second by Council Member Robertson and approved by 4-0 vote to accept Fiscal Year 2006/07 Annual Financial Statement, Redevelopment Financial Statement, Compliance Report, Letter to Council and Management Letter. Council Member Ed Scott was absent.

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### **TAB 3 –RDA Resolution No. 620, budget revision related to the sale and purchase of property located at 1428-1431 South Riverside Avenue**

Robb Steel, Redevelopment and Economic Development Director, stated that this TAB is related to a budget revision related to the purchase and sale of a 1.3 acre property owned by Ruben and Lisa Kaye Martinez at 1428-1431 South Riverside Avenue. He indicated that the Series C bonds were not sold and now the Agency must identify the alternate funding source for the acquisition.

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Council Member Robertson left the dais at 7:20 p.m. and returned at 7:25 p.m.

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Motion by Council Member Robertson, second by Mayor Pro Tem Hanson and carried by a vote of 4-0 to adopt **Resolution No. 620**, budget revision related to the purchase and sale agreement between the Redevelopment Agency and Ruben and Lisa Kaye Martinez. Council Member Ed Scott was absent.

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### **TAB 4 – Plans for Cactus Avenue Street Improvements**

Robb Steel, Redevelopment and Economic Development Director, requested consideration and approval of plans and specifications for completion of street improvements on Cactus Avenue. The Owner Participation Agreement requires that the Public Works Director and the City Council approve the Plans. Funding for the project has been approved in the amount of \$1.6 million dollars from the capital projects fund.

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Motion by Council Member Baca Jr., second by Council Member Robertson and carried by 4-0 vote to approve the plans and specifications for Cactus Avenue Street improvements. Council Member Ed Scott was absent.

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## **NEW BUSINESS**

### **TAB 5 – Architectural Treatments for Riverside/I-10 interchange**

Ahmad Ansari, Public Works Director/City Engineer, stated that this TAB is to approve architectural treatments for the Riverside/I-10 Freeway interchange. He stated that there are four selected alternatives from the March 4, 2008 work session meeting.

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Motion by Council Member Robertson, second by Council Member Baca Jr. and carried by 4-0 vote to approve Architectural Treatments for the Riverside Avenue/I-10 Freeway interchange. Council Member Ed Scott was absent.

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### **TAB 6 – Request to approve purchase of Police Department vehicles**

Mark Kling, Chief of Police stated that the police department is seeking approval to purchase vehicles pursuant to the City of Rialto Capital Improvement Program in the amount of \$471,069.09. Currently the department has 96 vehicles that are in use. He indicated that the fleet should be on a replacement cycle of approximately 20 – 25 vehicles per year.

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Motion by Council Member Baca, Jr., second by Mayor Pro Tem Hanson and carried by 4-0 vote to approve the purchase of Police Department vehicles pursuant to the Rialto Capital Improvement Program in the amount of \$471,060.09. Council Member Ed Scott was absent.

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## **ORAL COMMUNICATIONS**

Amos Young Jr., from Assemblymember Wilmer Amina Carter's office, thanked Council Member Robertson and Baca Jr. for attending the renaming of the San Bernardino County Government Center in honor of Rosa Parks.

Amos Young Jr. stated that Assemblymember Carter will be having a District Office Open House. He invited all council members and citizens to attend to discuss any matters of concern.

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Edna Tillie, member of the Social-Lites, Inc., a non-profit organization located in the Inland Empire. The Social-Lites, Inc. group goal is to help any young person achieve their educational goals. She stated that her organization is looking for plaques or support from city council to support the young men in the Beautillion event.

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## **REPORTS**

Council Member Baca, Jr. stated that he and Mayor Pro Tem Hanson attended the grand opening of the basketball courts at Johnson Center. He also attended an Easter Egg Hunt and thanked the volunteers.

He congratulated Lt. Crispin for his recent promotion. He thanked the Rialto Police Department for apprehending the individual who scammed Del Taco.

Council Member Baca Jr. commended Assemblymember Carter for following through on the Rosa Parks dedication.

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Mayor Pro Tem Hanson stated that she attended the basketball court grand opening and the Easter Egg Hunt.

Mayor Pro Tem Hanson announced that the play, "Social Security", opened by the Rialto Community Players.

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Council Member Robertson indicated that she attended the Rosa Parks dedication ceremony.

She stated that she attended the Second Annual Women's Summit and she complimented Assemblymember Carter and Senator Gloria Negrete McCloud who sponsored the event.

She attended a Downtown Visioning Workshop at the Johnson Center and asks the citizens to go look at the plans and give their feedback.

She attended a Major Project Committee Meeting at Sanbag.

She encouraged citizens to sign up for the Habitat for Humanity group that will be building two houses in Rialto.

She mentioned that there will be a SCAG Housing Summit. It will be held at the Mission Inn in Riverside.

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Mayor Vargas stated she also attended the Women's Club Fashion Show which supports our local schools.

She attended the 60<sup>th</sup> Anniversary of the Rotary Club.

She encouraged citizens to attend the Open House at the District Office of Assemblymember Carter.

Mayor Vargas met with the Governor about the budget and mentioned the perchlorate issue to him.

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**City Administrator Report**

City Administrator Garcia expressed his appreciation and thanks to the camera crew.

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**ADJOURNMENT**


Motion by Council Member Baca, Jr., second by Mayor Pro Tem Hanson and carried by a 4-0 vote to adjourn the Meeting. Council Member Ed Scott was absent.

The City Council adjourned at 8:00 p.m.

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MAYOR GRACE VARGAS

**ATTEST:**

  
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CITY CLERK BARBARA A. McGEE, CMC

